IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.11251 of 2006

Dated: 8th June, 2006

Between:

Smt.M.Vijayakumari

.. Petitioner

and

The Revenue Divisional Officer,
Vijayawada, Krishna district & another.

.. Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.11251 of 2006

ORDER:

This writ petition is filed being aggrieved by the impugned order passed by the first respondent-Revenue Divisional Officer in Proceedings Rc.No.A7/1243/2006 dated 1.6.2006 suspending the authorization of the petitioner in respect of a fair price shop. The impugned order speaks of various allegations against the petitioner

and also refers to the previous misconduct of the petitioner imposing penalty by the department.

The learned counsel for petitioner states that the irregularities mentioned at para Nos.1 to 3 of the impugned order are vague and general and insofar as para No.4 is concerned, it has no relevance to the present misconduct. Therefore, the impugned order is liable to be set aside.

The learned Government Pleader representing the respondents strenuously contended that it is only a suspension pending enquiry and no interference can be made at this stage and apart from that, the petitioner has got an effective alternative remedy by way of filing appeal before the Joint Collector, which he did not avail.

Having regard to the facts and circumstances of the case, I am of the opinion that the impugned order is only a suspension pending enquiry into the irregularities alleged against the petitioner, therefore, no interference is called for at this stage. However, first respondent-Revenue

Divisional Officer is directed to complete the enquiry launched in pursuance of the impugned proceedings dated 1.6.2006 within a period of three months from the date of receipt of a copy of this order positively. In default, the authorization of the petitioner stands restored. The petitioner shall cooperate with the Department in conducting enquiry expeditiously. In the meanwhile, the respondents are directed not to make any permanent arrangements against this particular fair price shop.

With the above observations and directions, the writ petition is accordingly disposed of. No order as to costs.

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C.V.RAMULU,
J

Date: 8.6.2006

Note:
Issue C.C. in one week.
B/o
DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

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8.6.2006